Sects. II-27—100,000—21-6-48.

Public Ser vt.) (1948) Department.

45 SERIES

G.O. No. 96

Dated 15-1-1948

[Despatch Abstract.]

Statutory Rules and Orders - Civil Services (Classif
Control and Appeal) Rules - Amendment - Government of I
be published - Notification.

GOVERNMENT OF MADRAS
ABSTRACT

STATUTORY RULES AND ORDERS - Civil Services (Classification, Control and Appeal) Rules - Amendment - Government of India's notification - Republished.

- -

PUBLIC (SERVICES) DEPARTMENT

G.O.Ms.No. 90 Dated the 15th January '48

Read the following:-

From the Government of India, Ministry of Home Affairs No.473/45-1 dated the 10-10-1947.

- - -

NOTIFICATION

In exercise of the powers conferred by a section 241 of the Government of India Act, 1935, the Governor General is pleased to direct that the following further amendments shall be made in the rules published with the notification of the Government of India in the Home Department, No.F.9/19/30 Ests., dated the 27th February, 1932, namely:-

I. In rule 3 of the said Rules -

i) the existing Explanation shall be renumbered as "Explanation 1".

(ii) for clause (a) of Explanation I, as so renumbered, the following clause shall be substituted, namely:-

"(a) a person appointed on probation, during or at the end of the period of probation, on grounds arising out of the specific conditions laid down by the appointing authority, e.g. want of a vacancy, failure to acquire prescribed special qualifications or to pass prescribed tests;"

(iii) after "Explanation I" the following further Explanation shall be inserted, namely:-

"Explanation 2:- The discharge of a probationer, whether during, or at the end of the period of, probation, for some specific fault or on account of his unsuitability for the service, amounts to removal or dismissal within the meaning of this rule";

II In rule 6 of the said Rules the existing sub-rule (iii) shall be renumbered as sub-rule (iv) and the following new sub-rule shall be inserted as sub-rule (iii), namely:-

(iii) The full procedure prescribed it sub-rule (i) and (ii) above need not be followed in the case of a probationer discharged in the circumstances described in Explanation 2 under rule 3. In such cases it will be sufficient if the probationer is given an opportunity to show cause in writing against the discharge after being apprised of the ground on which it is proposed to discharge him and his reply duly conside red for orders as are passed."

III. In rule 7 of the said Rules the following proviso shall be inserted at the end, namely:-

"Provided that a probationer shall have no right of appeal against the orders of his discharge if he has been given on opportunity to show cause against the discharge and his reply duly considered as required by rule 6."

O R D E R:- - -

Recorded.

2. The notification of the Govern ent of India will be republished in the Fort St. George Gazette.

Sd/-x x x x x
17-12-1947.

To
The departments of the Secretariat.
All Heads of Departments.
including Collectors and District Judges.
The Legal Department.
The Madras Public Service Commission.
The Superintendent Government Press for publication the notification in the Fort St. George Gazeete.

/True Copy/

/ OFFICE ASSISTANT

SP/15.9.

MADRAS RECORD OFFICE.